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BOYCOTTS AND THE LABOR STRUGGLE: LEGAL AND ECONOMIC ASPECTS. By Harry W. Laidler. New York: John Lane Company, 1913. 8vo., pp. 488. \$ net.

A willingness to see in a single institution something of a cosmos in miniature is necessary to an intelligent appraisal of Laidler's *Boycotts*. So full is the ethical world of a number of things that a movement even as significant as trade unionism can command only a modicum of attention and a large volume upon so minute an aspect of this general subject as the boycott deserves, on its intrinsic merits, only passing mention. Accordingly, were the volume before us written from the particularistic viewpoint which detaches its field of knowledge from the universe and discovers truth by a detailed mechanical analysis, it might at once be relegated to the limbo of oblivion.

But, fortunately, the author has escaped particularism and has produced a treatise of vital interest to students of contemporary social movements in economics, jurisprudence, and ethics, even though they have no primary concern with the boycott. This relevancy to larger things depends upon three characteristics of the author's method of approach. First, he has a clear perspective of the social situation as an entity and of the place of the labor movement within it; he refuses to draw lines where none exist; and he deals with his topic, not as a thing apart, but as an aspect of the larger problem of conscious social development. Second, he labors under no impression that his task is to state the "scientific is" of the boycott; he realizes that his positive work is conditioned by his practical problem; and he does not shirk the responsibility of pronouncing an ethical judgment upon the institution he is studying. And third, he presents in the boycott a clear epitome of the contemporary clash of two opposing systems of social ethics. The prevailing legal system, the institutional framework of society, and conventional standards of industrial morality are regarded as the expressions of an industrial class coming into its own in a period of such rapid change that social organization could follow no conscious plan and reliance had to be placed upon individual self-interest. Against this the self-conscious labor movement, the philosophy of class solidarity, and its system of group morality are presented as manifestations of a system of duties and privileges based upon the principle of the conscious subordination of the individual to his own social group. In the labor movement one finds many a

concrete example of this clash of ethical principles; and the value of this volume lies largely in its use of the boycott as a means of visualizing this larger ethical struggle.

In view of this larger purpose the author divides his treatment into three parts, entitled, "Economic Aspects of Boycotts," "Legal Aspects of Boycotts," and "Boycotts in the Light of Social and Economic Conditions." The first states the nature of the weapon, analyzes and classifies its forms, surveys its history, gives detailed descriptions of its most conspicuous manifestations, presents the attitude of various unions towards it, enumerates the conditions necessary to its success, and estimates its strategic value. The second surveys the typical cases which have come before the courts, analyzes the reasoning by which some boycotts have been declared legal and others illegal, summarizes the attempts to legalize the instrument, and traces the development of the spirit of protest which has accompanied the increasing restrictions placed on its use by the judiciary. The third makes a comprehensive study of the social situation of the laborer, gives an account of the institutions and conventions which unconsciously oppose its interests, points out the forces which consciously it has to fight, explains in detail the actual working of the machinery recently created for suppressing its attempts at institutional expression, and considers the alternative social results of legalizing or failing to legalize the boycott.

The discussion as a whole turns upon three very significant propositions. The first is that the boycott automatically fixes the limits of its own activity. It must be admitted that it is prone to abuse, particularly at the hands of those who have not used it before. But experience has demonstrated that its use is rigidly circumscribed by the laws of efficiency. Many factors are pertinent to its success, including the nature of the demand for the article; its use in large quantities by unionists, "the public," or opponents of unionism; its classification as a productive or a consumptive good; the area over which it is sold; the amount of capital possessed by the concern producing it; the causes leading to the imposition of the boycott; its favorable publicity; and the vigor with which it is pushed at the outset. Boycotts have, of course, been won in the face of adverse conditions, but these have been exceptional. Even more significant is it that the strategic value of the boycott depends very largely upon the moderation with which it is used. To the reviewer it seems that

these very limits upon its effectiveness cast serious doubts upon the propriety of its use. Correct strategy would require its moderate use at points where it can be most effective. This means the use of the buying powers of labor generally for benefits that can accrue only to a small class of laborers and threatens to create a labor aristocracy within the ranks of unionism. The reviewer would further suggest that it rests upon an antiquated psychology. It seems to assume that the feeling which restrains consumers from purchasing boycotted articles can mysteriously be made to disappear by the magic ritual of "settlement" and the lifting of the boycott. It is to be regretted that the author did not consider these objections more fully.

The second significant proposition is that ethically the boycott rests upon propositions incompatible with those underlying the present institutional system and unintelligible to those steeped in individualistic habits of thought. Court decisions on boycotts furnish an adequate revelation of this antagonism. The labor group has no legal standing as an entity. Its concern is for the welfare of the group whose life transcends that of its immediate personnel. Its thought necessarily runs in terms of a period many times as long as that of the labor contract. It is confronted with the problem of finding vehicles suitable for the expression of this more ultimate group interest. Among such vehicles it has adopted the boycott. Since the boycott serves in such a capacity, it is not surprising to find that the legal system, established on individualism, is powerless to evaluate it, for it belongs to an intellectual world to which current jurisprudence has no open sesame. Perhaps this lack of mutual intelligibility explains the tangles that judicial decisions get into in attempting to appraise so extraneous an institution. To take a single example, compare the legal status of the strike with that of the boycott. The former has usually been declared legal; the latter, illegal. The former involves the right to stop work; the latter, to stop buying. Both aim at an immediate pecuniary loss to the employer; both, eventually, at the increased welfare of the laboring class. Possibly boycotts can be declared illegal on the ground of conspiracy; but in that case how can the strike escape? Each merely represents a collective exercise of a universally recognized individual right. In passing it is interesting to note the eighteenth century concept of "public welfare" held by the courts. Property rights, which are claims to future increments of income, are included in the

capacious confines of "public welfare," and are afforded zealous protection by the courts; but the future interests of the labor group have never found lodgment within even so catholic a category.

The third significant proposition is that the outlawing of the boycott will probably lead to the use of a more radical vehicle as a substitute. It must be noted that the strategic positions of employers and laborers have been changed in the last ten years. The former have been organizing themselves into compact associations. Strike-breaking has been scientifically studied and reduced to an exact art. Unionism has been crippled by the introduction of "spies" into labor organization. The strategy of a labor campaign is likely to be known early by the employers. Because of greater solidarity, the employers can make use of outlawed instruments, such as the blacklist. But, on the contrary, unionism has been weakened. If it is by the courts denied the use of such a conservative vehicle of expression as the boycott, the accumulating spirit of social protest will find some other method of asserting itself. With a growing conviction that the institutions of the country are arrayed against labor, this expression is likely to take two forms. One is radical political activity. The other is the use of subtle methods of harassing the employer, such as sabotage; against which injunctions, judicial decisions, and the police are alike powerless. Just now our supreme need is a system of social ethics in which the interests of antagonistic classes can find harmonious expression. If the way is left open for class consciousness and social protest to use the less radical vehicles, such a need can approach realization. If not, class expression in revolutionary forms is likely to lead to a chaos in social standards.

The problem of evaluating the boycott is a difficult one. Few records are available and they are incomplete. The instrument is so closely connected with pecuniary interests that clear perspective and fair judgment are difficult to obtain. The testimony of laborers is likely to be charged with passion rather than reason. Employers are, as a matter of strategy, inclined to insist that they have not been hurt, unless, perchance, they have pending claims against the unions for damages. It is too much to assert that the author has kept his well known attitude entirely from influencing his work. But, on the whole, he has given us an intelligent and an honest study. Its analysis is keen; its scope, comprehensive; and its vision, far-reaching. It is just

the kind of a study that needs to be made as a preliminary to intelligent legislation. It is to be particularly recommended to stalwart conservatives who are gravely concerned with the preservation of our institutions.

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LIFE'S BASIS AND LIFE'S IDEAL. By Rudolph Eucken. English translation by A. C. Widgery. London: A. and C. Black, 1911. (Original Title, *Die Grundlinien einer neuen Lebensanschauung*.)

PRESENT-DAY ETHICS IN THEIR RELATIONS TO THE SPIRITUAL LIFE. Deem Lectures. New York, London: Williams and Norgate, 1913.

THE PROBLEMS OF HUMAN LIFE. By Rudolph Eucken. English translation by W. S. Hough and W. R. Boyce Gibson. Revised and enlarged edition. London: T. Fisher Unwin, 1914. (*Die Lebensanschauungen der grossen Denker*).¹

CAN WE STILL BE CHRISTIANS? By Rudolph Eucken. English translation by Lucy Judge Gibson. London: A. and C. Black, 1914.

ZUR SAMMLUNG DER GEISTER. Von Rudolph Eucken. Leipzig: Quelle und Meyer, 1915.

A few years ago the present writer contributed to this JOURNAL an account of the Philosophy of Eucken,² in brief compass, but, at least in intention and endeavor, definitely sympathetic. That statement was accepted, within its limits, by the distinguished German thinker as an adequate account of his essential position. At that period Eucken's work was only beginning to be generally known in the English-speaking world, mainly through the devotion and enthusiasm of Mr. W. R. Boyce Gibson. Since then much water has flowed beneath the bridge. The successive editions of Eucken's numerous and usually voluminous writings have circulated in Germany in tens of thousands; the various English translations (of which the most recent are named above) have made his name universally familiar, and have been followed

¹ The original edition of the English version of the *Lebensanschauungen* was reviewed in this JOURNAL by Mr. A. O. Lovejoy, vol. xxi, October 1910, pp. 83-88.

² See this JOURNAL, vol. xxi (October 1910), pp. 15 ff., "The Idealism of Rudolph Eucken."